



CALIFORNIA CODE OF REGULATIONS
TITLE 14. DIVISION 1.
SUBDIVISION 4. OFFICE OF OIL SPILL PREVENTION AND
RESPONSE
CHAPTER 1. GENERAL DEFINITIONS AND ABBREVIATIONS

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790. DEFINITIONS AND ABBREVIATIONS.

Unless the context requires otherwise, the following definitions shall govern the construction of this subdivision.

- (a)
 - (a)(1) "Act" means the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 (Statutes of 1990, Chapter 1248).
 - (a)(2) "Administrator" means the administrator for oil spill response appointed by the Governor pursuant to Government Code Section 8670.4.
 - (a)(3) "Adverse weather" means the weather conditions that will be considered when determining the appropriate oil spill response systems and equipment for a particular operating environment. Factors that will be considered include wind, significant wave height, temperature, weather-related visibility, and the tides and currents within the response area in which the equipment is intended to function.
 - (a)(4) "Anchorage or Anchorage designation" means an area designated by the U.S. Army Corps of Engineers or the United States Coast Guard for the anchoring of vessels.
 - (a)(5) "Assets", as defined by GAAP, means probable future economic benefits obtained or controlled by a particular entity as a result of past transactions or events.
 - (a)(6) "Assist/Escort Tug" see "Tug Escort".
 - (a)(7) "Area Contingency Plan" means an oil spill response plan required by the Coast Guard for each of six regions along the California coast. These six regions are the Federal Area Plan Zones, and are defined in this subchapter under "Geographic Regions"
- (b)
 - (b)(1) "Balance of the Coast" means those areas of the California coast that are not designated as either a high volume port or as a facility/transfer area.
 - (b)(2) "Barge" means any vessel that carries oil in commercial quantities as cargo but is not equipped with a means of self-propulsion.
 - (b)(3) "Barrel" means 42 United States gallons of oil at 60 degrees Fahrenheit.
 - (b)(4) "Best achievable protection" means
 - (A) the highest level of protection which can be achieved through the use of both of the following;
 - 1. the best achievable technology, and
 - 2. those manpower levels, training procedures, and operational methods which provide the greatest degree of protection achievable.

- (B) It is not required that a cost-benefit or cost-effectiveness analysis or any particular method of analysis be used in determining which measures to require.
 - (C) The Administrator's determination of best achievable protection shall be guided by the critical need to protect valuable coastal resources and marine waters, while also giving reasonable consideration to the following:
 - 1. the protection provided by the measures,
 - 2. the technological achievability of the measures, and
 - 3. the cost of the measures.
- (b)(5) "Best achievable technology" means that technology which provides the greatest degree of protection taking into consideration, the following:
 - (A) processes which are being developed, or could feasibly be developed anywhere in the world, given overall reasonable expenditures on research and development, and
 - (B) processes which are currently in use anywhere in the world.
 - (C) In determining what is best achievable technology, the Administrator shall consider the effectiveness and engineering feasibility of the technology.
- (b)(6) "Bollard Pull" means the force, in pounds, that a tug is capable of exerting against a stationary object. Bollard pull can be measured for either or both of the following:
 - (A) astern force, which is the force applied when the tug is pushing or pulling astern.
 - (B) ahead force, which is the force applied when the tug is pushing or pulling ahead.
- (b)(7) "Braking Force" means astern bollard pull (at zero speed) for conventional tugs, and ahead bollard pull (at zero speed) for tractor tugs.
- (b)(8) "Bulk" see "Oil in Bulk".
- (b)(9) "Bunkering" or "Bunkering Operation" means the transfer of oil for the purpose of fueling or providing lubricants to a marine vessel. A Bunkering Operation includes all phases of the operation from the beginning of the mooring operation to the departure from the transfer vessel.
- (b)(10) "Bunker oil" means that product used as fuel for a vessel's propulsion system.
- (c)
 - (c)(1) "California marine waters" see "Marine Waters".
 - (c)(2) "Cascadable" means moveable in multi-tiered stages, and is used to refer to response equipment which may be moved from the normal or regular site to the scene of an oil spill.
 - (c)(3) "Cleaned-up" means spilled oil has been removed to the extent that it no longer poses a threat to human health and safety or the environment, as determined by either:
 - (A) the unified command, consisting of the Federal On-Scene Coordinator (FOSC), the responsible party, if designated, and the Staff (as defined in this chapter); or
 - (B) the State Incident Commander (as designated by the Administrator) if the unified command is not established.
 - (c)(4) "Clearing House" means an individual, or organization, corporation or agency designated by the Administrator to carry out responsibilities related to tug escort requirements for specific harbors in California.
 - (c)(5) "Coast Guard Designated Area" see "Geographic Region".
 - (c)(6) "COLREGS" is a shortened form of the term 'Collision Regulations', and refers to the International Regulations for the

Prevention of Collisions at Sea.

- (c)(7) "Competitive aspects" means the cost of materials, labor, services, property or other necessities required to carry out a recommendation of a harbor safety committee. These costs shall be compared to other alternative costs for the same or similar requirements and may vary from port to port within a harbor area. Competitive aspects shall be addressed in any economic feasibility report or study made part of any such recommendation.
- (c)(8) "Containment area" means that area designated for the containment of any spilled oil with the intent of preventing the oil from reaching open water.
- (c)(9) "Conventional Tug" means a tug with screws or propellers which are fixed to provide thrust either fore or aft, parallel to the keel or longitudinal axis of the tug.
- (c)(10) "Crude oil" means petroleum in an unrefined or natural state, including condensate and natural gasoline.
- (c)(11) "Current assets", as defined by GAAP, means cash or other assets or resources commonly identified as those which are reasonably expected to be realized in cash, or sold or consumed during the normal operating cycle of the business.
- (c)(12) "Current liabilities", as defined by GAAP, means those obligations whose liquidation is reasonably expected to require the use of existing resources, properly classifiable as current assets, or the creation of other current liabilities.
- (d)
 - (d)(1) "Deadweight tonnage" means the weight of the cargo, fuel, water, and stores necessary to submerge a vessel from its light draft to its load draft. This measurement shall be obtained from the following:
 - (A) the most current Lloyds Register, or
 - (B) from the country of registry, or
 - (C) by documentation from a recognized classification society, or
 - (D) as reflected in the International Load Line Certificate posted on each vessel.
 - (d)(2) "Department" means the California Department of Fish and Game.
 - (d)(3) "Derated Capacity" means that value computed by taking the manufacturer's rating for the recovery capacity of a piece of skimming equipment and reducing that amount to reflect the limitations of the response equipment's efficiency. Limitations on efficiency may be the result of such variables as weather, sea state, velocity of the ocean currents, hours of operation per day, or visibility. The derated capacity shall be calculated as 20% of the manufacturer's rated skimming capacity (SC) for the equipment for a 24 hour period, $[(SC \times 24 \text{ hours}) 20\% = \text{derated capacity}]$.
 - (d)(4) "Discharge" see "Spill".
 - (d)(5) "Discharge Containment System" means any system designed to enclose or restrain spilled oil and prevent it from spreading further and/or reaching open water. Such a system may be fixed or portable, depending upon the application, and may involve specific equipment for certain applications.
 - (d)(6) "Displacement" means the total weight of water, as measured in long tons, displaced by a vessel at a given load level.
- (e)
 - (e)(1) "Escort/Assist Tug" see "Escort Tug".
 - (e)(2) "Escort Tug" means a tug that is designed primarily for pushing or pulling ahead or astern, or towing alongside another vessel. A tug is considered to be designed for escort work whether or not it is involved in such activity. Escort tugs are further defined for specific harbors as follows:
 - (A) In the harbors of Los Angeles/Long Beach, an Assist/ Escort Tug" means any tug that is accepted by the tank vessel master and/or pilot to escort a tank vessel that is transiting waters where an assist/escort is required.
 - (B) In the harbor of Port Hueneme, an "Escort/Assist Tug" means any tug that is authorized by the Oxnard Harbor District and/or the U.S. Navy for use in Port Hueneme and is equipped with at least 500 horsepower to escort/assist a tanker or barge transiting waters where escort/assistance is required.

- (e)(3) "Escort Vessel" see "Escort Tug".
- (f)
 - (f)(1) "Facility" see "Marine Facility".
 - (f)(2) "Facility/Transfer Areas" means the zone around those geographic areas where a majority of oil transfers occur along the California coast, as follows:
 - (A) for Humboldt Bay; the waters inwards of the demarcation line, as prescribed in the U.S. Coast Guard Navigation Rules, International-Inland.
 - (B) for Monterey Bay; the waters inward of a line drawn from Point Santa Cruz to Point Pinos.
 - (C) for Estero and San Luis Obispo Bays; the waters inward of a line drawn from Point Estero to Point Sal.
 - (D) for San Diego Bay; the waters inwards of the demarcation line, as prescribed in the U.S. Coast Guard Navigation Rules, International-Inland.
 - (E) for Encina: the area as defined by the center point of 33-08.0N - 117-21.4W and those waters within a two mile radius.
 - (F) for the Santa Barbara Channel Area: includes all facility transfer points on the marine waters outward to three nautical miles, from Point Conception to Point Dume.
 - (f)(3) "Facility/Transfer Point" means a fixed location where oil or oil products are or can be transferred between a vessel and a facility.
 - (f)(4) "Federal breakwater" means the line of demarcation as specified in Title 33 Code of Federal Regulations, Section 80.1114.
 - (f)(5) "Fiscal Year" means the period commencing on the first day of July and ending on June 30 of the following year.
- (g)
 - (g)(1) "GAAP" means the Generally Acceptable Accounting Principles in the United States.
 - (g)(2) "Geographic Region" means one of six regions along the California coast defined by the Coast Guard as the Federal Area Plan Zones. These Coast Guard regions are as follows:
 - (A) North Coast: the Oregon border to the Sonoma/Mendocino County line;
 - (B) San Francisco and the Delta: the Sonoma/Mendocino County line to the Santa Cruz/San Mateo County line, including San Francisco Bay and the portions of the Sacramento/San Joaquin Delta covered under Article 5, Section 8670.28(a)(1) of the Government Code;
 - (C) Central Coast: the Santa Cruz/San Mateo County line to the San Luis Obispo/Monterey County line;
 - (D) Los Angeles/Long Beach, as follows:
 - (1) Northern Sector: San Luis Obispo, Ventura and Santa Barbara Counties;
 - (2) Southern Sector: Los Angeles and Orange Counties;
 - (E) San Diego: San Diego/Orange County line to the Mexico border.
 - (g)(3) "Gross Registered Tons", now changed to "Gross Tons", means a measure of the tanker, barge or nontank vessel's tonnage by volume.
- (h)
 - (h)(1) "Harbor Safety Committee" means a committee comprised of those individuals, appointed by the Administrator pursuant to Section 8670.23 of the Government Code, to determine harbor safety needs for the harbors of San Diego; Los Angeles/Long Beach; Port Hueneme; San Francisco, San Pablo, Suisun Bays; and Humboldt Bay.

- (h)(2) "Hazardous Materials" means any material that, because of its quantity, concentration or physical or chemical characteristics, would pose a significant present or potential hazard to human health and/or safety, or to the environment if released into the environment. This definition includes, but is not limited to, "oil" as defined in the Act.
- (h)(3) "High Volume Ports" means either of the following:
 - (A) for the San Francisco Bay/Sacramento-San Joaquin Delta; all California marine waters that are within a 50 nautical mile radius of the San Francisco Approach, Lighted Horn Buoy (SF) (LNB) (LLNR 360) [located at 37-45.0N, 122-41.6W] on the San Francisco Bay Chart #18645. This does not include the Ports of Stockton and Sacramento;
 - (B) for the Los Angeles/Long Beach Harbor; all California marine waters that are within a 50 nautical mile radius of the Approach Lighted Whistle Buoy "LB" (LLNR 3010)[33-42.1N, 118-11.0W] outside the entrance to the Los Angeles/Long Beach Harbors on the Los Angeles and Long Beach Harbor Chart #18751.
- (i)
 - (i)(1) "Incident Commander" means the individual responsible for overseeing the Incident Command Structure (as outlined in the State Marine Oil Spill Contingency Plan) during an oil spill response or response drill. This person may be the Administrator or his/her designee.
 - (i)(2) "Independently audited" means an audit performed by an independent certified public accountant in accordance with generally accepted auditing standards.
 - (i)(3) "Infrequent Transfer" means a transfer of oil or oil product that is conducted on the average of one time per month or not more than twelve times in a twelve month period.
 - (i)(4) "Intangible assets" means assets, such as trademarks, goodwill, patents, organization costs, computer programs, etc., which lack physical substance.
 - (i)(5) "Involved Parties" means a responsible party, potentially responsible party, their agents and employees, the operators of all tankers, barges and nontank vessels docked at a marine facility which is the source of a discharge, and all state and local agencies involved in a spill or spill response.
- (j) (Reserved)
- (k)
 - (k)(1) "Kips" means a thousand pounds of force.
- (l)
 - (l)(1) "Liabilities", as defined by GAAP, means probable future sacrifices of economic benefits arising from present obligations of a particular entity to transfer assets or provide services to other entities in the future as a result of past transactions or events.
 - (l)(2) "Linefill capacity" means the volume of fluid in a pipeline or pipeline segment as determined by multiplying the cross-sectional area of the inside of the pipeline in square feet, times the length of the pipeline in feet, times 7.48 gallons per cubic foot. [Linefill capacity in gallons equals $7.48(3.1416 r^2 * L)$ where 7.48 = gallons per cubic foot; 3.1416 is the constant, pi; r = inside radius in feet; * = times; and L = length in feet].
 - (l)(3) "Line Haul Tug" means that tug that provides the primary power to push or pull a barge.
 - (l)(4) "Lightering" or "Lightering Operation" means the transfer of a cargo of oil in bulk from one tank vessel to another. Lightering includes all phases of the operation from the beginning of the mooring operation to the departure of the service vessel from the vessel being lightered. Lightering does not include the transfer of cargo that is intended only for use as fuel or lubricant aboard the receiving vessel or facility.
 - (l)(5) "LOA" means the actual Length Overall of a vessel measured in meters. This is the length for each vessel as listed in Lloyds Register or with the country of registry.
 - (l)(6) "Local government" means any chartered or general law city or any chartered or general law county.
 - (l)(7) "Long tons" means a unit of weight equal to 2,240 pounds avoirdupois.

(m)

(m)(1) "Marine facility" means:

- (A) A drill ship, semisubmersible drilling platform, jack-up type drilling rig, or any other floating or temporary drilling platform.
- (B) Any facility of any kind, other than a vessel, which;
 - 1. is or was used for the purposes of exploring for, drilling for, producing, storing, handling, transferring, processing, refining, or transporting oil, including pipelines, and
 - 2. is located in marine waters, or is located where a discharge could impact marine waters.
- (C) The following facilities are not included in the definition of "marine facility":
 - 1. facilities which are subject to Chapter 6.67 (commencing with Section 25270) or Chapter 6.75 (commencing with Section 25280) of Division 20 of the Health and Safety Code; or
 - 2. facilities which are placed on a farm, nursery, logging site, or construction site and do not exceed a 20,000 gallon capacity in any single storage tank; or
 - 3. small craft refueling docks.

(m)(2) "Marine Terminal" means any marine facility used for transferring oil to or from tankers or barges. This would include all piping not integrally connected to a tank facility as defined in Section 25270.2(k) of the Health and Safety Code relating to above ground storage tanks.

(m)(3) "Marine Waters" means those waters subject to tidal influence, except for waters in the Sacramento-San Joaquin Delta upstream from a line running north and south through the point where Contra Costa, Sacramento, and Solano Counties meet. This definition of marine waters does not apply to the Oil Spill Prevention and Response Planning requirements in Chapter 3, or the Administrative Fund Fee provisions in Chapter 6.

(m)(4) "Master" means the master of the tug engaged in towing a barge or the master of a tanker or nontank vessel.

(m)(5) "Mobile Transfer Unit (MTU)" means a small marine fueling facility that is a vehicle, truck, or trailer, including all connecting hoses and piping, used for transferring oil at a location where a discharge could impact marine waters.

(m)(6) "Mobilization Time" means the time in which initial response personnel are able to begin movement of spill response resources to the site of an oil spill.

(m)(7) "MTU" means Mobile Transfer Unit.

(n)

(n)(1) "Navigational Aid" means any device used by a tanker, barge or nontank vessel that is intended to assist a navigator in determining the tanker, barge or nontank vessel's position or a safe course, or to warn of dangers or obstructions to navigation.

(n)(2) "Non-Cascadable Equipment" means equipment which is prepositioned in a location that allows delivery of that equipment anywhere within a given risk zone within the timeframes specified for that risk zone. Such equipment shall not be moved from the designated location without the prior approval of the Administrator or the Federal On-Scene Coordinator.

(n)(3) "Non-persistent or Group 1 oil" means a petroleum-based oil, such as gasoline, diesel or jet fuel, which evaporates relatively quickly. Such oil, at the time of shipment, consists of hydrocarbon fractions of which:

- (A) at least 50 percent, by volume, distills at a temperature of 340 degrees C (645 degrees F); and
- (B) at least 95 percent, by volume, distills at a temperature of 370 degrees C (700 degrees F).

(n)(4) "Nontank Vessel" means a vessel of 300 gross tons or greater, other than a tanker or barge, as those terms are defined in this chapter.

(o)

- (o)(1) "Office of Spill Prevention and Response" means the California Department of Fish and Game, Office of Spill Prevention and Response established pursuant to the Act.
- (o)(2) "Offshore marine facility" includes but is not limited to a drill ship, semi-submersible drilling platform, jack-up type drilling rig, facilities located on production piers, artificial islands and platforms, any floating or temporary drilling platform and any facility of any kind which is or was used for purposes of exploring for, drilling for, producing, storing, handling, transferring, processing, refining, or transporting oil and is located in, under, on, or above marine waters. This includes facilities in the process of abandonment, re-drilling, well maintenance and repairs.
- (o)(3) "Offshore Marine Terminal" means any marine terminal at which tank vessels or barges are made fast to a buoy or buoys.
- (o)(4) "Oil" means any kind of petroleum, petroleum-based liquid hydrocarbons, petroleum products or any fraction or residues therefrom. This shall include, but is not limited to: crude oil, bunker fuel, gasoline, diesel fuel, aviation fuel, oil sludge, oil refuse, oil mixed with waste, and liquid distillates from unprocessed natural gas.
- (o)(5) "Oil In Bulk" means any volume of oil carried in the cargo tanks of a vessel. Bulk oil does not include oil carried in packaged form, and does not include residue or clingage remaining in the cargo tanks after the cargo oil has been discharged. During a Bunkering or lightering operation, bulk oil may also be that oil which is transferred to or from a marine portable tank or independent tank on board a vessel.
- (o)(6) "Oil Spill Response Organization (OSRO)" means any for-profit or not-for-profit contractor, cooperative, or in-house response organization established to provide spill response resources.
- (o)(7) "Oil Transfer System" means that system as described in 33 CFR Part 154, Subpart(c).
- (o)(8) "Operator" see "Owner or Operator".
- (o)(9) "Operating" means, in terms of a tanker, barge or nontank vessel, either:
 - (A) the transferring and/or transporting of oil, or
 - (B) that the tanker, barge or nontank vessel is not at anchor, is not made fast to the shore or an anchored tanker, barge or nontank vessel, or not aground.
- (o)(10) "OSPR" means the Office of Spill Prevention and Response in the Department of Fish and Game.
- (o)(11) "OSRO" means Oil Spill Response Organization.
- (o)(12) "Owner or Operator" means any of the following:
 - (A) in the case of a tanker, barge or nontank vessel, any person who owns, has ownership interest in, operates, charters by demise, or leases the tanker, barge, or nontank vessel;
 - (B) in the case of a marine facility or a marine terminal, any person who owns, has an ownership interest in, or operates the marine facility or the marine terminal;
 - (C) except as provided in subparagraph (D), in the case of any tanker, barge, nontank vessel or marine facility, title or control of which was conveyed due to bankruptcy, foreclosure, tax delinquency, abandonment, or similar means, to an entity of state or local government, the owner or operator is any person who owned, held an ownership interest in, operated, or otherwise controlled activities concerning the tanker, barge, nontank vessel or facility immediately before the conveyance;
 - (D) an entity of the state or local government which acquired ownership or control of a tanker, barge, nontank vessel or marine facility, when the entity of the state or local government has caused or contributed to a spill or discharge of oil into marine waters;
 - (E) "Owner" or "Operator" does not include a person who, without participating in the management of a tanker, barge,

nontank vessel or marine facility, holds indicia of ownership primarily to protect his or her security interest in the tanker, barge, nontank vessel or marine facility;

(F) "Operator" does not include any person who owns the land underlying a marine facility or the facility itself if the person is not involved in the operations of the facility.

- (p)
- (o)(13) "Owners' equity", as defined by GAAP, means the difference between total assets and total liabilities.
- (p)(1) "P&I Club" see "Protection and Indemnity Club".
- (p)(2) "Persistent Oil" means a petroleum-based oil that does not meet the distillation criteria for a non-persistent oil. Persistent oils are further classified based on both specific and American Petroleum Institute (API) observed gravities corrected to 60 degrees Fahrenheit, as follows:
- (A) Group 2 - specific gravity greater than or equal to 0.8000 and less than 0.8500. API gravity less than or equal to 45.00 and greater than 35.0;
- (B) Group 3 - specific gravity greater than or equal to 0.8500, and less than 0.9490. API gravity less than or equal to 35.0 and greater than 17.5;
- (C) Group 4 - specific gravity greater than or equal to 0.9490 and up to and including 1.0. API gravity less than or equal to 17.5 and greater than 10.00;
- (D) Group 5 - specific gravity greater than 1.0000. API gravity equal to or less than 10.0
- (p)(3) "Person" means any individual, trust, firm, joint stock company, or corporation, including, but not limited to, a government corporation, partnership, and association. Also included is any city, county, city and county, district and the state or any department or agency thereof, and the federal government or any department or agency thereof, to the extent permitted by law.
- (p)(4) "Petroleum Barge" see "Barge".
- (p)(5) "Pilot" means a person duly licensed by the U.S. Coast Guard as a Federal First Class Pilot authorized to serve as a pilot on tankers and nontank vessels transiting in specified harbors in California. This person may or may not be the "Master" as defined in this chapter.
- (p)(6) "Pipeline" means any line or conduit used at any time to transport oil. A pipeline will be considered a marine facility if it is located in marine waters or where a discharge from the pipeline could impact marine waters.
- (p)(7) "Point of Transfer", means a position either physically located on the receiving or transferring tanker, barge, or nontank vessel, or in the case of a response vessel, located within ½ mile of the actual oil transfer operation.
- (p)(8) "Port Authority" means the person, governmental agency or civilian organization responsible for the operation, control and administration of a port or harbor area.
- (p)(9) "Primary Response Contractor" means an oil spill response contractor that is directly responsible to an oil spill contingency plan preparer either by a contract or other approved means. Plan preparers may rely on more than one primary response contractor. All primary response contractors must be approved by the OSPR. However, subcontractors responsible to a primary response contractor will be exempt from approval by the OSPR, if the response resources of the subcontractor will be included in the application approval process of the primary response contractor.
- (p)(10) "Production pier" means a structure supported above marine waters by pilings, columns or caissons which is connected to land and upon which is situated an oil and gas production operation.
- (p)(11) "Protection and Indemnity (P&I) Club" means a mutual insurance organization formed by a group of ship owners or operators in order to secure cover for various risks of tanker, barge, or nontank vessel operation, including oil spill costs, not covered by normal hull insurance.
- (q)
- (q)(1) "QI" see "Qualified Individual".

- (q)(2) "Qualified Individual (QI)" means a shore-based representative of a tanker, barge, nontank vessel or facility owner or operator. The QI must be fluent in English, located in the continental United States, available on a 24-hour basis, and have full written authority to implement the tanker, barge, nontank vessel or facility's contingency plan. A person stationed on a fixed, off-shore platform is considered to be shore-based for purposes of this definition. A QI is not necessarily the responsible party unless otherwise considered a responsible party as defined in this chapter. The duties of the QI shall include:
- (A) activating and engaging in contracting with required oil spill response organizations;
 - (B) acting as liaison with, and following the orders of, the State Incident Commander and/or Federal On-Scene Coordinator through the Unified Command during all phases of spill response. This would include the ability to make changes to the plan when so ordered by the Administrator or the Federal On-Scene Coordinator;
 - (C) obligating, either directly or through prearranged contracts, any funds necessary to carry out all required or directed oil spill response activities detailed in the tanker, barge, nontank vessel or facility's contingency plan or specified by order of the Incident Commander and/or Federal On-Scene Coordinator.
- (r)
- (r)(1) "Reasonable Worst Case Oil Spill" is defined in the chapters of this subdivision where the term is used.
- (r)(2) "Regional Response Team (RRT)" means the federal, interagency organization that is responsible for granting approval for the use of cleanup agents during an oil spill response. The RRT was established under the federal Oil Spill Act of 1990 and is comprised of representatives of the federal agencies enumerated in 40 CFR §300.175(b), as well as state and local representatives.
- (r)(3) "Remove" or "Removal" means the extraction of oil from the water and shorelines, or taking other action as necessary to minimize or mitigate oil-related damage to the environment, or to safeguard the public health or welfare.
- (r)(4) "Response Area" means the area in which spill response activities are occurring. This shall include the designated routes that response vessels will transit to and from temporary storage facilities or other locations as specified by the Administrator and/or the Federal On-Scene Coordinator during the course of an oil spill incident.
- (r)(5) "Response Contractor" means an individual, organization, association, or cooperative that provides or intends to provide equipment and services for oil spill containment, cleanup, and/or removal activities. Such equipment and services shall be provided under contract or other means approved by the Administrator to the owner or operator of a tanker, barge, nontank vessel or marine facility. Response contractors must have the ability to mobilize and deploy their identified resources. Persons solely warehousing or storing equipment are not response contractors.
- (r)(6) "Response Resources" means all the personnel, equipment, supplies, and services necessary to perform oil spill response activities.
- (r)(7) "Response Vessel" means any tanker, barge or other waterborne craft used in the course of response activities during an oil spill incident.
- (r)(8) "Responsible Party (or Party Responsible)" means any of the following:
- (A) the owner or transporter of oil or a person or entity accepting responsibility for the oil;
 - (B) the owner, operator or lessee of, or person who charters by demise, any tanker, barge, nontank vessel or marine facility;
 - (C) a person or entity who accepts responsibility for the tanker, barge, nontank vessel or marine facility; or
 - (D) the person who fulfills the role of the Qualified Individual during spill response only if that person is also one of the individuals as described in subparagraphs (A) through (C) above.
- (r)(9) "Risk and Hazard Analysis" means a study in which process hazards and potential operating problems that could lead to oil spills are identified using systematic methods recommended by the American Institute of Chemical Engineers, or other means approved by the Administrator. This is the study referred to as the Hazard and Operability Study in Section 8670.28 of the Government Code.

- (r)(10) "Risk Zone" means one of the areas along the California coast that has been differentiated by the relative risk of an oil spill occurring in that area. The areas so designated shall be termed: High Volume Ports; Facility/Transfer Areas; or the Balance of the Coast; and are further defined in this chapter.
- (s)
- (s)(1) "Santa Barbara Channel Area" see "Facility/Transfer Area".
- (s)(2) "Service vessel" means the vessel which receives a cargo of oil from another vessel in a lightering operation.
- (s)(3) "Shifting" means to move or transfer a tanker, barge, or nontank vessel from one place or position in the harbor to another in the harbor.
- (s)(4) "Short ton" means a unit of weight equal to 2,000 pounds, avoirdupois.
- (s)(5) "Small Craft" means a waterborne craft, other than a tanker or barge, that is less than 20 meters in length.
- (s)(6) "Small Craft Refueling Dock" means a waterside operation that dispenses only non-persistent oil in bulk and/or small amounts of persistent lubrication oil in containers, primarily to small craft, and meets both of the following criteria:
- (A) has tank storage capacity not exceeding 20,000 gallons in any single storage tank or tank compartment; and
 - (B) has a total useable tank storage capacity not exceeding 75,000 gallons
- (s)(7) "Small marine fueling facility" means either of the following:
- (A) a mobile transfer unit, or
 - (B) a fixed facility that is not a marine terminal, which dispenses primarily non-persistent oil, and may dispense small amounts of persistent oil, primarily to small craft, and meets all of the following criteria:
 - (1) has tank storage capacity not exceeding 40,000 gallons in any single storage tank or storage tank compartment.
 - (2) has total usable tank storage capacity not exceeding 75,000 gallons.
 - (3) had an annual throughput volume of over-the-water transfers of oil that did not exceed 3,000,000 gallons during the most recent preceding 12-month period.
- (s)(8) "Small Vessel" see "Small Craft"
- (s)(9) "Spill (or Discharge)" means any release of at least one barrel of oil which impacts marine waters that was not authorized by a federal, state, or local governmental entity.
- (s)(10) "Staff" means the Administrator or any of the personnel in the Office of Oil Spill Prevention and Response duly authorized to act on behalf of the Administrator.
- (s)(11) "State Fiscal Year" see "Fiscal Year"
- (s)(12) "State Incident Commander" see "Incident Commander".
- (s)(13) "State Liaison Officer" means that person responsible for the coordination of information between the State Incident Commander/Federal On-Scene-Coordinator and other state and local government representatives. The State Liaison Officer is a function within the Incident Command System as described in the State Marine Oil Spill Contingency Plan.
- (s)(14) "Static Bollard Pull" see "Bollard Pull"
- (t)
- (t)(1) "Tank Barge" see "Barge"
- (t)(2) "Tank Vessel" means any tanker or barge that carries oil in commercial quantities as cargo.

- (t)(3) "Tanker" means any self-propelled, waterborne vessel, constructed or adapted to transport oil in bulk or in commercial quantities as cargo.
- (t)(4) "Terminal" see "Marine Terminal".
- (t)(5) "Transfer vessel" means the vessel from which fuel or lubricant is transferred to another vessel during a bunkering operation.
- (t)(6) "Tractor Tug" means a tug which is propelled by blades or screws which may be manipulated or rotated to provide propulsive thrust to any part of a 360 degree arc relative to the keel or longitudinal axis of the tug.
- (t)(7) "Transporting oil in bulk" see "Oil in Bulk".
- (t)(8) "Tug" or "Tug Escort" see "Escort Tug"
- (u) (Reserved)
- (v)
 - (v)(1) "Vessel" means any tanker or barge as defined in this chapter.
 - (v)(2) "Vessel Carrying Oil as Secondary Cargo" means a tanker or barge that does not carry oil as a primary cargo, but does carry oil in bulk as cargo or cargo residue.
 - (v)(3) "Vessel to be lightered" means the vessel which transports a cargo of oil to a place within the marine environment where transfer of that cargo to another vessel will occur on California marine waters. The term "vessel to be lightered" does not include drilling rigs, or offshore supply vessels transferring cargo intended for use as fuel or lubricant aboard the receiving vessel.
 - (v)(4) "Vessel of Opportunity" means any craft engaged in spill response activities that is otherwise normally and substantially involved in activities other than spill response.
 - (v)(5) "Vessel Traffic Information Service" means that service operated by the Marine Exchange in the Los Angeles/Long Beach Harbors in cooperation with the United States Coast Guard. "VTIS" is synonymous with "VTS" as used in Section 445, et. seq., Harbors and Navigation Code, and Section 8670.21 of the Government Code
 - (v)(6) "Vessel Traffic Service (VTS) System" means the system authorized pursuant to 33 CFR Part 161, or Government Code Section 8670.21.
 - (v)(7) "VTIS" means a Vessel Traffic Information Service.
 - (v)(8) "VTS" means Vessel Traffic Service System.
- (w)
 - (w)(1) "Working Capital", as defined by GAAP, means current assets minus current liabilities.

Authority: Sections 8670.7(a), 8670.13.1(a), 8670.13.2, 8670.17.2, 8670.23.1, 8670.28, 8670.32 and 8670.35, Government Code.

Reference: Sections 8670.3, 8670.7(a), 8670.13(a), 8670.13.2, 8670.17.2, 8670.23.1, 8670.28, 8670.32 and 8670.35, Government Code.

For additional information, you can contact OSPR staff at, jlavin-j@Ospr.dfg.ca.gov

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